

TEMPORARY **NO. 74615-T**
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 10 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 17 2002 under 60059

The applicant **Happy Creek, Inc.**, hereby makes application for permission to change the **Place of Use of a portion** of water heretofore appropriated under **Permit 60063 Cert. 16217**

1. The source of water is **Underground**
2. The amount of water to be changed **.7836 CFS**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.41N., R.32E., M.D.B. &M. or at a point from which the NE corner of said Section 2 bears N 29°08'07" E, a distance of 2556.53 feet.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **215.50 ac. within the SW $\frac{1}{4}$ Section 2 & SE $\frac{1}{4}$ Section 3, T.41N., R.32E., M.D.B &M.**
8. Existing place of use **See Attachment 215.50 acres to be removed as follows: 21.8 ac. NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.8 ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$, 36.5 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$, 39.5 ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$, 33.3 ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$, 39.7 ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 22.9 ac. SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T.42N., R.32E., M.D.B&M. All lands to be stripped lie north of main ranch road as depicted on PBU Map filed under 60059.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works. **drilled well, buried pipeline & 2 circular sprinklers**
12. Estimated cost of works **In excess of \$40,000**
13. Estimated time required to construct works **Complete – See well log filed under Permit 60063**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **See PBU for Permit 60063 for the existing place of use. See map in 74506-T Assessors parcel map for proposed place of use.**

Desert Mountain Surveying
John H. Milton III, Agent
By s/**John H. Milton III**
146 West Second Street
Winnemucca, NV 89445

compared ns/dl lw/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 60063, Certificate 16217, is issued subject to the terms and conditions imposed in said Permit 60063, Certificate 16217, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permit 60059, Certificate 16214; Permit 60060, Certificate 16215; Permit 60061, Certificate 16216; Permit 60063, Certificate 16217; Permit 60064, Certificate 16218; Permit 60065, Certificate 16219; Permit 60066, Certificate 16220; Permit 71784, and Temporary Permits 74506T, 74613T, 74614T, 74615T, 74616T, 74617T and 74618T shall not exceed 3063.60 acre-feet per year for the irrigation of 765.90 acres.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 6, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.7836 cubic feet per second, or 64.34 acre-feet per year, and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A TEMPORARY

Proof of completion of work shall be filed before:

N/A TEMPORARY

Water must be placed to beneficial use on or before:

N/A TEMPORARY

Proof of the application of water to beneficial use shall be filed on or before:

N/A TEMPORARY

Map in support of proof of beneficial use shall be filed on or before:

N/A TEMPORARY

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office, this

7th day of September, A.D. 2006

Tracy Taylor, P.E.
State Engineer

74615 T

Question "8" Attachment

ACRES	SUBDIVISION			SEC	TWP	RGE
	1/4	1/4	LOT		(N)	(E)
39.1	(NE)	(NW)	3	1	41	32
36.8	(NW)	(NW)	4	1	41	32
39.2	SW	NW		1	41	32
39.6	SE	NW		1	41	32
39.8	NW	SW		1	41	32
37.8	(NE)	(NE)	1	2	41	32
39.2	SE	NE		2	41	32
38.4	NE	SE		2	41	32
39.5	SW	SE		2	41	32
39.8	SE	SE		2	41	32
	SE	SW		25	42	32
39.5	SE	NE		35	42	32
37.0	NE	SE		35	42	32
39.2	SE	SE		35	42	32
21.8	NW	NW		36	42	32
21.8	NE	NW		36	42	32
39.5	SW	NW		36	42	32
36.5	SE	NW		36	42	32
33.3	NW	SW		36	42	32
39.7	NE	SW		36	42	32
29.2	SW	SW		36	42	32
39.2	SE	SW		36	42	32

765.9	<-- TOTAL ACRES	--
-------	-----------------	----